

### REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 13-19 and 21-26 are pending in this case. Claims 13, 24, and 26 are amended by the present amendment. The changes to Claims 13, 24, and 16 are supported in the originally filed disclosure at least at page 4, lines 6-15, and at page 6, line 28, to page 7, line 6. Thus, no new matter is added.

In the outstanding Office Action, Claims 13-19 and 21-26 were rejected under 35 U.S.C. § 103(a) as unpatentable over Janssen (U.S. Pub. No. 2003/0223044 A1) in view of O'Connor, et al. (U.S. Pub. No. 2004/0145703 A1, herein "O'Connor").

Applicant respectfully traverses the rejection of the pending claims under 35 U.S.C. § 103(a).

In the outstanding Office Action, Janssen is asserted to teach every element of Claim 13 except "an electronic switchable color filter," which O'Connor is asserted to teach.

However, O'Connor does not cure the conceded deficiencies of Janssen.

Amended Claim 13 requires an electronic switchable color filter that is configured to (1) "transmit at least one first spectral component of incident light," (2) "avoid transmission of a complementary spectral range of the at least one first spectral component," and (3) "controllably switch a wavelength of the at least one first spectral component."

O'Connor describes, at paragraph [0019], a color switch (44) that "may ideally pass red light, and switch between passing either green and/or blue light." O'Connor also describes retarding the red light by one quarter-wave at paragraph [0019]. O'Connor further describes, at paragraph [0022], a color switch (16). O'Connor describes that, "[u]sing the color switch 16, the red and blue light may be phase retarded by 45°," and "green light is reflected by the color switch 16, and is not phase retarded . . . ."

However, O'Connor does not describe that either of the color switches (44) or (16) is configured as the electronic switchable color filter defined by Claim 1.

With respect to the color switch (44) of O'Connor, if the red light were asserted as “the at least one first spectral component,” O'Connor does not describe (2) avoiding the passing of the complementary spectrum of the red light, green light. Instead of avoiding the passing of the green light, O'Connor describes, at paragraph [0019], that the color switch (44) may be switched to pass the red *and* the green lights together. Additionally, if the passed red light were asserted as “the at least one first spectral component,” O'Connor does not describe (3) controllably switching the wavelength of the passed red light. Instead, at paragraph [0019], O'Connor describes that the color switch (44) always passes the red light, regardless of whether the green and/or blue light is additionally passed.

Further, as green and blue lights are not compliments of each other, neither one the green light nor the blue light of O'Connor could be asserted as “the at least one first spectral component,” as recited by Claim 1, because even if one is passed by the color switch (44) of O'Connor and the other is not passed, a controlled switch between the one of the two which is passed would not be accompanied by (2) avoiding the passing of the complementary spectrum of the one that is switched to pass.

With respect to the color switch (16), O'Connor does not describe that the color switch (16) is configured to (3) controllably switch the wavelengths of either the red or the blue light, described by O'Connor as being phase retarded as they are passed by the color switch (16). Instead, O'Connor describes that the color switch (16) always phase retards the red and the blue light and always reflects the green light. Specifically, the color switch (16) is not described by O'Connor as being configured to (3) controllably switch any wavelengths of light being passed, phase retarded, or reflected.

Thus, O'Connor fails to teach or suggest “an electronic switchable color filter that is configured to transmit at least one first spectral component of incident light, *to avoid transmission of a complementary spectral range of the at least one first spectral component*, and *to controllably switch a wavelength of the at least one first spectral component*,” as recited by amended Claim 13.

Accordingly, because Janssen and O'Connor, even in combination, fail to teach or suggest every element of Claim 13, Applicant respectfully requests that the rejection under 35 U.S.C. § 103(a) of Claim 13, and Claims 14-19, 21-23, and 25, which depend therefrom, be withdrawn.

Claim 24, although varying in scope from Claim 13, patentably defines over Janssen and O'Connor for reasons similar to those discussed above with regard to Claim 13. Thus, Applicant respectfully requests that the rejection of Claim 24, under 35 U.S.C. § 103(a), be withdrawn.

Amended Claim 26 recites, *inter alia*, “a reflective electronic color switch that is configured to *reflect a first color so as to have a turned polarization state* and is further configured to *reflect light having a color different from the first color in an unchanged polarization state*, the reflective electronic color switch being configured to *controllably switch a wavelength of the first color*.”

As discussed above, Janssen is silent as to any color switching element.

Further, as discussed above, O'Connor is silent as to any light being reflected from the color switch (44), let alone “a first color so as to have a turned polarization state” and a “light having a color different from the first color in an unchanged polarization state,” as recited by amended Claim 26.

Additionally, as discussed above, O'Connor describes the color switch (16) as reflecting only one color of light, green light. Specifically, O'Connor describes the color

switch (16) as reflecting one, not two, colors of light, and O'Connor is silent as to reflecting any color of light with a turned polarization state. Instead, O'Connor merely describes reflecting the green light, without a turned polarization state, by the color switch (16).

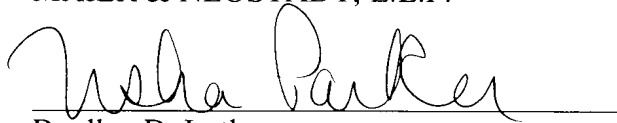
Thus, O'Connor does not teach or suggest “a reflective electronic color switch that is configured to *reflect a first color so as to have a turned polarization state* and is further configured to *reflect light having a color different from the first color in an unchanged polarization state*, the reflective electronic color switch being configured to *controllably switch a wavelength of the first color*,” as recited by amended Claim 26.

Because Janssen and O'Connor, even in combination, fail to teach or suggest every element of Claim 26, Applicant respectfully requests that the rejection of Claim 26, under 35 U.S.C. § 103(a), be withdrawn.

Accordingly, the outstanding rejection is traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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(OSMMN 07/09)